

| TRANSMITTAL LETTER | | | Case No. 10210-8 |
|--|-----------------------------------|----------------------------|----------------------------------|
| Serial No. 10/659,419 | Filing Date September 10, 2003 | Examiner To Be Assigned | Group Art Unit To Be Assigned |
| Inventor(s) MIKIYA et al. | | | |
| Title of Invention ROTARY CUTTING APPARATUS | | | |

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an Information Disclosure Statement (in duplicate): Form PTO 1449; copies of three (3) cited references; and return receipt postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra |
|---|----------------------------------|-------|---------------------------------|---------------|
| Total | | Minus | | |
| Indep. | | Minus | | |
| First Presentation of Multiple Dep. Claim | | | | |

| Small Entity | | or | Other Than Small Entity | |
|-----------------|-----------|----|-------------------------|-----------|
| Rate | Add'l Fee | | Rate | Add'l Fee |
| x \$9 = | | | x \$18 = | |
| x 43 = | | | x \$86 = | |
| + \$145 = | | | + \$290 = | |
| Total add'l fee | \$ | | Total add'l fee | \$ |

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



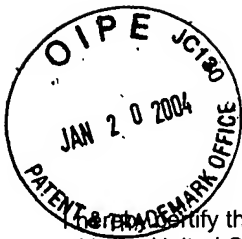
Tadashi Horie
Registration No. 40,437
Attorney for Applicant
Customer No. 00757 - Brinks Hofer Gilson Lione

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(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 1/15/04

Date: 1/15/04

Signature: 



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

1/15/04

Date of Deposit

Tadashi Horie, Reg. No. 40,437

Name of Applicant, Assignee or
Registered Representative

Tadashi Horie

Signature

1/15/04

Date of Signature

Our Case No.: 10210/8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MIKIYA et al.

Serial No.: 10/659,419

Filing Date: September 10, 2003

For: ROTARY CUTTING APPARATUS

Examiner: To be assigned

Group Art Unit No.: To be assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

| U.S. PATENT NO. | ISSUE DATE | PATENTEE |
|-----------------|------------|---------------|
| 2,748,630 | 06/1956 | DILLON |
| 4,626,152 | 12/1986 | PALM |
| 5,632,577 | 05/1997 | PERONI |
| 5,902,076 | 05/1999 | MILLER ET AL. |
| 6,280,123 | 08/2001 | GILL |

FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER | DATE | COUNTRY |
|-----------------|---------|---------|
| JP 32-000586 | 02/1957 | JAPAN |
| JP 61-003544 | 02/1986 | JAPAN |
| JP 48-33486 | 05/1973 | JAPAN |

Prior art references A6-A8 are in Japanese. Applicants are providing the following English summaries for the references:

Japanese Utility Model Publication 32-586 (Date of publication: February 2, 1957)

This invention relates to a portable drill assembly having a horseshoe-shape base 4 which is provided with electromagnetic 6 for attachment to a workpiece.

Japanese Utility Model Publication 61-3544 (Date of publication: February 4, 1986)

The reference discloses a drill tapping machine with a feed mechanism. The feed mechanism includes a ram 11, a tool shaft 13 having a splined bore 15 and a splined main shaft 17 slidably fitted in the splined bore 15. The main shaft 17 is rotated by a motor 1 through a pulley-belt arrangement. The main shaft 17 is also advanced/retracted by the motor 1 through a transmission comprising, a pulley-belt assembly and a rack-pinion mechanism 12 and 36.

Japanese Patent Publication 48-33486 (Date of publication: May 10, 1973)

The reference discloses a portable milling cutter in which, as shown in Fig. 4, a milling tool 41 extends in a direction normal to a motor shaft 26.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

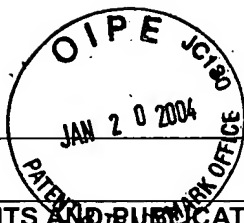
Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tadashi Horie", is written over a horizontal line.

Tadashi Horie
Registration No. 40,437
Attorney for Applicant(s)

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|---|-----------------------------------|----------------------------------|
| FORM PTO-1449 | SERIAL NO. 10/659,419 | CASE NO. 10210/8 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary) | FILING DATE September 10, 2003 | GROUP ART UNIT To Be Assigned |
| APPLICANT(S): MIKIYA et al. | | |

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|---------------------|----|--|---------|---------------|--------------------|----------------|
| | A1 | 2,748,630. | 06/1956 | DILLON | | |
| | A2 | 4,626,152 | 12/1986 | PALM | | |
| | A3 | 5,632,577 | 05/1997 | PERONI | | |
| | A4 | 5,902,076 | 05/1999 | MILLER ET AL. | | |
| | A5 | 6,280,123 | 08/2001 | GILL | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES OR NO |
|---------------------|----|--|---------|---------|--------------------|--------------------------|
| | A6 | JP 32-000586 | 02/1957 | JAPAN | | No |
| | A7 | JP 61-003544 | 02/1986 | JAPAN | | No |
| | A8 | JP 48-33486 | 05/1973 | JAPAN | | No |

| EXAMINER INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published. |
|---------------------|--|
| | |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.